

CITY UTILITIES COMMITTEE

MINUTES

MARCH 13, 2012

9:30 A.M.

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, March 13, 2012 at 9:42 a.m., in Committee Room #2.** The following members were present:

The Honorable Natalyn M. Archibong, Chair
The Honorable C. T. Martin
The Honorable Yolanda Adrean
The Honorable Carla Smith

The following members were absent:

The Honorable Aaron Watson, Vice Chair
The Honorable H. Lamar Willis

Others present at the meeting were: Councilmember Keisha Lance Bottom; Stephanie Grant, Michael Patrick McShane, Renee Sheperd, Marc Goncher and M. Theresa Stewart, Law Department; Commissioner Richard Mendoza, Department of Public Works; Commissioner Jo Ann J. Macrina, Deputy Commissioners Angelo Veney, Eric Glover, Frank Stephens and Robert Bush, Department of Watershed Management; Deputy Procurement Officer, Keith Brooks, Office of Procurement; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:42 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA – ADOPTED AS AMENDED TO ADD ONE RESOLUTION**
- B. APPROVAL OF MINUTES - APPROVED**
- C. OVERVIEW OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FISCAL YEARS ENDED JUNE 30, 2011 AND 2010 – DWM**

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D. ORDINANCES FOR SECOND READING

- 12-O-0190 (1) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 Budget 2004 [Water and Wastewater Bond Fund (5058)] in the amount of \$8,316,000.00; to transfer funds from the Capital Projects Reserve for Appropriations and add to appropriations for Land and Easement Support Services and the Water Resource Management Plan; and for other purposes. **(Referred by back Full Council 3/5/12)**
(Councilmember Martin made a motion to approve as amended)

FAVORABLE AS AMENDED

- 12-O-0232 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$100,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for McDaniel Branch Wetlands Project; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

- 12-O-0357 (3) An Ordinance by Councilmembers Joyce M. Sheperd and Felicia A. Moore to repeal Ordinances 02-O-0342, adopted by the Atlanta City Council on March 18, 2002 and approved on March 26, 2002, pertaining to the establishment of procedures for enforcing standards for collecting, handling, storing and disposing of scrap tires in the City of Atlanta, to introduce a revised scrap tires procedures and requirements ordinance, to be inserted into the City Code at Chapter 130 (Solid Waste Management), at Article II and Title "Scrap Tire Enforcement" beginning at currently Reserved Code Section 130-13 through 130-19; and for other purposes.
(Councilmember Archibong made a motion to hold)

HELD

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ORDINANCES FOR SECOND READING (CONT'D)

- 12-O-0362 (4) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 138 entitled "Streets, Sidewalks and other Public Places," to add Article VI entitled "City Hall" so as to provide Rules of Conduct for persons in City Hall; and for other purposes.
(Councilmember Martin made a motion to approve on condition)

FAVORABLE ON CONDITION

E. RESOLUTIONS

- 12-R-0233 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Terra Renewal, LLC for FC-5641, Annual Contract for Dewatering, Hauling and Disposal Services on behalf of the Department of Watershed Management in an amount not to exceed \$1,497,675.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes. **(Referred by back Full Council 3/5/12)**
(Councilmember Martin made a motion to approve)

FAVORABLE (1 ABSTENTION) ADREAN

- 12-R-0293 (2) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment No. 1 with United Consulting, Inc., for FC-4918B, Geotechnical, Environment Engineering, Testing and Investigation Services to include the Department of Watershed Management as an additional authorized user of services; all contracted work shall be charged to and paid from Various Funding Sources; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 12-R-0294 (3) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment No. 1 with ATC Associates, Inc. and C.E.R.M., Inc., a Joint Venture for FC-4918A, Geotechnical, Environment Engineering, Testing and Investigation Services to include the Department of Watershed Management as an additional authorized user of services; all contracted work shall be charged to and paid from Various Funding Sources; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

- 12-R-0295 (4) A Resolution by City Utilities Committee authorizing the City of Atlanta, as a Joint Venture member of the Atlanta-Fulton County Water Resources Commission and Co-owner of the North Fulton Water Treatment Plant, to enter into an Intergovernmental Lease Agreement with the City of Johns Creek, Georgia to lease a certain tract of land as part of the Autrey Mill Nature Preserve; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

- 12-R-0296 (5) A Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Arcadis/Brindely, Pieters & Associates, Inc., a Joint Venture for FC-4906A, Architectural, Engineering and Design Services for the purpose of providing Design, Engineering and Construction Management and Inspection Services for the Water Distribution System Improvements, SE Quadrant Phases I and II Project, on behalf of the Department of Watershed Management, in an amount not to exceed \$157,620,00; all work will be charged to and paid from the listed Fund Department, Organization and Account Numbers and PTAEONumbers; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE (1 ABSTENTION) ADREAN

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RESOLUTIONS (CONT'D)

- 12-R-0297 (6) A Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to BGR, a Joint Venture for FC-4906C, Architectural, Engineering and Design Services for the purposes of providing Design, Engineering and Construction Management and Inspection Services for the Water Distribution System Improvements, SE Quadrant Phases I and II Project, on behalf of the Department of Watershed Management, in an amount not to exceed \$315,240,00; all work will be charged to and paid from the listed Fund Department, Organization and Account Numbers and PTAE0 Numbers; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

F. ORDINANCE FOR FIRST READING

- 12-O-0292 (1) An Ordinance by City Utilities Committee authorizing the acquisition of certain property having an address of 0 Bowen Circle, Atlanta, GA and a Fulton County Tax Identification Number of 14-0073-LL-074-9 through the exercise of condemnation, pursuant to the Declaration of Takings Method, O.C.G.A. §22-3-140 or other condemnation method, as may be applicable pursuant to O.C.G.A. §22-2-1 et seq. to complete the McDaniel Branch Watershed Improvement Project, pursuant to the requirements of the City's cost sharing agreement with U. S. Corps of Engineers for the McDaniel Branch Wetland Improvement Project and to meet the City's Wastewater permitting requirements; to authorize the City Attorney, or her designee, to institute condemnation proceedings to acquire the property, including use of outside counsel where necessary; that all amounts associated with these actions shall be charged to and paid from the listed Fund Department, Organization and Account Numbers and PTAE0 Numbers; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

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G. PAPERS HELD IN COMMITTEE

- 10-O-1058 (1) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**
- 10-O-1059 (2) A **Substitute** Ordinance by City Utilities Committee to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-1688 (3) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14th District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**
- 11-O-0080 (4) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**
- 11-R-0088 (5) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**
- 11-O-0108 (6) An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 12-R-0221 (7) A Resolution by Councilmembers Natalyn M. Archibong and Yolanda Adrean authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$_____ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards _____ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes. **(Held 2/14/12)**
- 12-R-0234 (8) A Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City's Department of Public Works, to pay for additional construction and design costs for the Mitchell Street Bridge Replacement Project pursuant to the agreement for said Mitchell Street Bridge Replacement previously entered into between the City of Atlanta and the Georgia Department of Transportation in an amount not to exceed \$20,362.84; and for other purposes.
(Councilmember Martin made a motion to file)

FILE

H. REQUESTED ITEMS

1. Councilmember Adrean requested metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed
2. Councilmember Archibong made a request to start a Sidewalk Subcommittee and report back to the committee next meeting. (Councilmember Shook will chair the committee, Sally Flock, Brother Anthoney Muhammad and Ron Shakur volunteered.)
3. Councilmember Archibong requested that the staff schedule visits to all of the Department of Watershed facilities.
4. Councilmember Adrean made a request to the Department of Watershed Management to include a copy of a sign-off report from the CFO on all bonds matters in required legislation.

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REQUESTED ITEMS (CONT'D)

5. Councilmember Adrean requested a list of the infrastructure in need of repair and a 5 Year Financial Plan from the Department of Watershed Management.
6. Councilmember Willis request an updated list of the City's take home vehicles.
7. Councilmember Adrean requested the backlog of cases for the Water and Sewer Appeals Board and the name of the person in charge.
8. Councilmember Watson requested the Department of Public Works give a report to the committee on the new Recycling Plan.
9. Councilmember Adrean requested a report on the Small Meter Audit. (findings, recommendations, cost, implementation phase, etc.)
10. Councilmember Adrean requested information on receivables, debt analysis (how it's being serviced), aging accounts, cash flow, Rating Agency Reports, how 5 Year Plan being impacted.

I. LEGISLATION ITEM NOT ON THE AGENDA

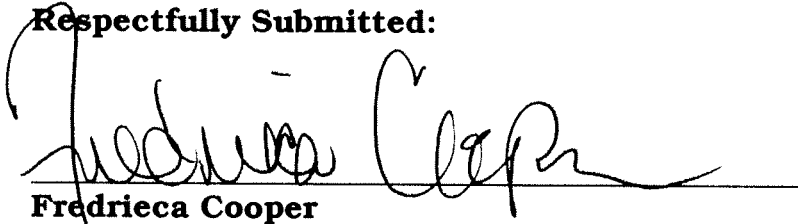
- 12-R-0376 (1) A Resolution by City Utilities Committee authorizing the initiation of the process of renaming that portion of Greenbriar Parkway between Barge Road to the west and the intersection of Greenbriar Parkway and Continental Colony Parkway to the east to Tyler Perry Way by and through actions of the Commissioner of Department of Public Works or his designee; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

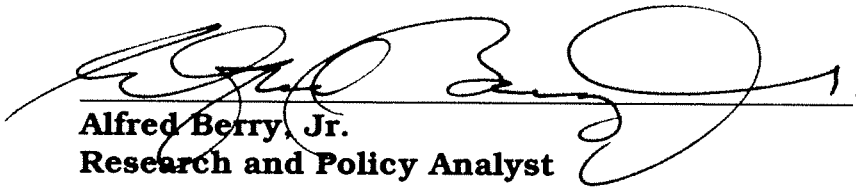
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There being no further business to come before the Committee, the meeting adjourned at 10:56 a.m.

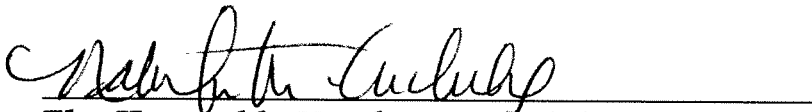
Respectfully Submitted:



Fredriecca Cooper
Legislative Assistant



Alfred Berry, Jr.
Research and Policy Analyst



The Honorable Natalyn M. Archibong, Chair
City Utilities Committee